

**2017 JOHANNESBURG RESOLUTION ON PUBLIC PROCUREMENT**  
**AFRICA HIGH-LEVEL FORUM ON**  
**HARNESSING PUBLIC PROCUREMENT FOR SOCIO-ECONOMIC GROWTH**  
**05 APRIL 2017**

**We**, Representatives of the African countries at the Africa High-Level Public Procurement Forum on Harnessing Public Procurement for Socio-Economic Growth;

**Recalling** the commitments made at 1998 Abidjan Public Procurement Conference to reform national procurement systems, the 2009 Tunis Conference on Public Procurement Reform in Africa which focused on Sustaining Economic Development and Poverty Reduction, the 2005 Paris Declaration on Aide Effectiveness, the 2008 Accra Agenda for Action, the 2011 Busan Consensus, and the United Nations 2015 Sustainable Development Goals (SDGs) which adopted the 2030 Development Agenda;

**Recognising** the imperative nature of the need for urgent and much more accelerated growth in public procurement reforms given the substantive role that it plays in public financial management, and in light of its perceived impact on the wider public sector objectives including sustainability and socio-economic objectives; the need for each country to develop and implement workable strategies and action plans to mitigate the challenges and weaknesses identified with public procurement reforms to date in order to enable it to effectively drive forward economy, efficiency, effectiveness and equity, to achieve VfM throughout any country's execution of the public procurement function; that public procurement reform requires sustained country ownership and political commitment together with appropriate technical solutions;

**Hereby agree** to take urgent strategic and tactical actions, in order to accelerate and sustain achievements by:

- Elevating public procurement to a strategic function to enable it contribute to realizing countries sustainable and socio-economic aspirations;
- Strengthening the integrity of public procurement systems;

- Substantially increasing capability building in public procurement and contract management through capacity development and professionalization of the public procurement function;
- Ensuring public procurement is effective in making PPP succeed in Africa; and
- Harnessing Information Technology (IT) for efficient public procurement.

In particular, we, the African countries agree to consider the following recommendations from the Forum:

- **Action 1:** Fine tune and adopt further reforms that seek to address emerging issues such as socio-economic consideration, Environmentally and Socially Responsible Procurement (ERSP), ethical procurement, public private partnerships (PPP), integrated e-procurement etc. for effectiveness, efficiency, equity and sustainability while attaining value for money (VfM) and elevating procurement as a strategic function.
- **Action 2:** Adopt country specific reforms for the establishment of legally and financially autonomous public procurement institutions to enable service delivery on their mandate and furtherance of Sustainable Development Goal (SDG) 16.
- **Action 3:** Develop and adopt common public procurement system performance measurement guidelines and standards based on acceptable international public procurement norms and adapted to the African regional and/or country context.
- **Action 4:** Establish a sustainable network for Africa's public procurement institutions and practitioners supported by international, regional, sub-regional networks and countries including a platform for exchange.
- **Action 5:** Harmonize strategic approaches at regional level in furtherance for intra Africa trade.
- **Action 6:** That public procurement regulatory bodies adopt and implement, comprehensive capacity building plans for all actors (regulatory body, procuring entities, internal control institutions, audit bodies, private sector, civil society and other relevant stakeholders) and consider partnerships with national and regional training institutions including e-learning to enable institutional strengthening and development of modern procurement practice and professionalization of the procurement function.

- **Action 7:** Implement change management strategies (for practitioners, suppliers, civil society, media and investigative/oversight/judicial bodies) along with reforms.

Specifically, in respect of elevating public procurement to a strategic function to enable it contribute to realizing countries sustainable and socio-economic aspirations:

- **Action 8:** The relevance of preferences, set asides and other similar incentives to promote the growth of SMEs through access to public contracts is recognized. However, this should have pre-requisite of adequate and credible measures put in place to curtail abuse of the incentives provided by the government.
- **Action 9:** The incentives alone will not work in isolation without a comprehensive SME development program that should include training on integrity and code of ethics and values.
- **Action 10:** Public procurement should encompass social, economic, environmental, safety and health considerations. To this effect governments should provide policy interventions coupled with adequate implementation arrangements through supplier/contractor selection process as well as contract management.
- **Action 11:** Initiate and implement e-GP systems that not only promote transparency, efficiency and cost reductions but also promote increased SME participation in public contracts through increased access.

As regards strengthening the integrity of public procurement systems, countries agree to consider the following:

- **Action 12:** Create a stakeholder forum or Network that will foster frequent exchanges on experiences and ideas to influence the political will.
- **Action 13:** Implement judicial reforms and robust independent administrative complaints redress mechanisms/tribunals.
- **Action 14:** Establish whistleblowing mechanisms that allow for anonymity and confidentiality, as well as anti-retaliation policies.
- **Action 15:** Adopt Open Contracting Data Standards (OCDS).
- **Action 16:** Incorporate Integrity Pacts, such as for high risk projects, on an as needed basis.

- **Action 17:** Expand our public procurement horizon and adopt a strategic approach for treatment of the full procurement cycle.
- **Action 18:** Identify good case studies and engage champions to propagate success stories.
- **Action 19:** Promote lessons in value/moral virtues: start early.

**In respect of substantially increasing capability building through capacity development and professionalization of the public procurement function to:**

- **Action 20:** Set up and maintain a country holistic procurement capability-building strategy including a specific component on contract management minding the need for more extensive hand-holding support for fragile states.
- **Action 21:** Adopt a professionalization framework for public procurement with a view to build a cadre of procurement practitioners (phased implementation).
- **Action 22:** Push for improved governance in order to shield procurement practitioners (and civil servants) from un-due political influence and put in place systems for protection of the honest and diligent.
- **Action 23:** Synergize capacity development initiatives among regional economic communities (such as EAC, UEMOA, COMSA, etc) with the participation of procurement training institutions and universities.
- **Action 24:** Develop and adopt innovative and sustainable solutions for financing the procurement capability initiatives.

**As regards ensuring public procurement is effective in making PPP succeed in Africa to:**

- **Action 25:** Fully acknowledge that the legal and institutional frameworks which govern the public procurement system are perfectly adapted as a structuring methodology for organizing and delivering PPP, and therefore, to undertake the following actions appropriately:
  - i. Adapt public procurement laws and regulations to accommodate and incorporate PPP specificities;
  - ii. Separate responsibilities between PPP policy (regulatory function) and PPP contracting and controls (control function);

- iii. Establish a support function to help countries in meeting their commitments and obligations including budgetary, development targets as well as preferential treatment to support specific sustainable growth goals;
  - iv. Complement current knowledge-base with dedicated sustainable PPP capacity, including strengthening capacity at the level of sector ministries or designated entities to identify, prepare and execute PPP projects (transaction function); and
  - v. Reflect the AAAA Declaration and UN 2030 Agenda by recognizing the role of Civil Society as a newly empowered Stakeholder. This will need to be reflected at the institutional level and the PPP delivery process.
- **Action 26:** Fully acknowledge that “Integrity and Accountability Mechanisms” which govern the public procurement system are perfectly adapted as a structuring control system for delivering PPPs in accordance with good governance practices and to take the following actions accordingly:
  - i. Focus on the notion "Well Prepared Projects" as defined in the Addis Ababa Action Agenda (AAAA);
  - ii. Consider unsolicited proposals on an exceptional basis, if and only if, proprietary and innovative (including new technology) solutions are being presented;
  - iii. Foster integrity and transparency in PPP transactions by conducting external control and audit, establishing efficient and effective complaints mechanisms (including whistle blower policies); and
  - iv. Establish ethics and anti-corruption measures and enforcement capacity.
- **Action 27:** Build upon existing public procurement systems to structure sound and practical sustainable PPP delivery systems which will include civil society as a new stakeholder; and
- **Action 28:** Fully recognize that SDG Goal 17 “Partnerships” allows to open up the potential for a new generation of PPPs (People first PPPs).

In harnessing Information Technology (IT) for efficient public procurement, countries agree to consider the following:

- **Action 29:** Set up enabling legal framework.
- **Action 30:** Lay ICT infrastructure.
- **Action 31:** Adopt regional approach to set up a common framework through harmonization to achieve free trade and promote competition, and fully recognize the basic principle of e-procurement, interoperability of e-signature.
- **Action 32:** Integrate mobile technology to the procurement platform to enhance participation targeting small and simple contracts.
- **Action 33:** Integrate ICT in complaints handling and even in dispute resolution.
- **Action 34:** Use social media for feedback from end users and for information to the public (to be handled ‘with care approach’).
- **Action 35:** Compile data in an interlinked environment to enable evaluation of eligibility and qualifications.
- **Action 36:** Develop requisite IT human resources.
- **Action 37:** Adopt inclusive approach (of all stakeholders) at the development stage.